

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CASE NO. 2:22-cr-00160-MHT
)	(WO)
JEREMIAH LEE TRAMMER)	

AMENDED PRELIMINARY ORDER OF FORFEITURE

Now pending before the court is the government's motion for an amended preliminary order of forfeiture filed on February 16, 2023.

On November 9, 2022, this court entered a preliminary order of forfeiture (Doc. 84) that directed forfeiture of the defendant's interest in a Springfield XD-45 .45 caliber pistol, bearing serial number GM481241, and live ammunition.

On December 8, 2022, Luciel Nelson, on behalf of her husband, Sammy Lee Nelson, filed a timely claim and petition for a hearing pursuant to 21 U.S.C. § 853(n)(2) for the Springfield XD .45 caliber pistol, bearing serial number GM481241 listed in the Preliminary Order of Forfeiture. (Doc. 85). Included with her claim and petition for a hearing, Ms. Nelson provided a receipt for the purchase of the firearm.

On January 19, 2022, counsel for the government witnessed the Nelsons report the firearm stolen to Sgt. Antonio Goins of the Montgomery Police Department. The government acknowledges Mr. Nelson's ownership rights and agrees that it is in the interest of justice to return the firearm to him.

Accordingly, it is ORDERED that the government's motion for an amended preliminary order of forfeiture (Doc. 111) is granted, and it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. The Springfield XD-45 .45 caliber pistol, bearing serial number GM481241 shall

be returned to Sammy Lee Nelson by and through the Bureau of Alcohol, Tobacco and Firearms, Middle District of Alabama, Montgomery, Alabama.

2. The court has determined that the following property remains subject to forfeiture pursuant to 18 U.S.C. § 924(d)(1) by 28 U.S.C. § 2461(c), that the defendant has an interest in such property; and, that the government has established the requisite nexus between such property and such offenses: **live ammunition**.

3. The court shall retain jurisdiction to enforce this order and to amend it as necessary pursuant to Federal Rule of Criminal Procedure 32.2(e).

4. IT IS FURTHER ORDERED that the clerk of the court shall forward a certified copy of this order to the United States Attorney's Office.

DONE, this the 9th day of March, 2023.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE